

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Steven W. Meeks and Rusmin Kudinar  
APPLICATION NO.: 10/660,984  
FILING DATE: September 12, 2003  
TITLE: System and Method For Simultaneously Measuring Thin Film  
Layer Thickness, Reflectivity, Roughness, Surface Profile &  
Magnetic Pattern On Thin Film Magnetic Disks & Silicon Wafers  
EXAMINER: T. Nguyen  
GROUP ART UNIT: 2877  
ATTY. DKT. NO.: 20830-08288

**CERTIFICATE OF MAILING**

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Dated: 11 Aug 2004

By: 

John McNelis, Reg. No. 38,186

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**TRANSMITTAL LETTER IN SUPPORT OF  
INFORMATION DISCLOSURE STATEMENT  
Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

In response to the Office Action dated April 7, 2004, Applicant resubmits the Transmittal Form, Information Disclosure Statement, PTO/SB/08A and postcard filed by Applicants on October 23, 2003, together with the non-patent references previously omitted.

Applicants request that the Examiner consider the references cited in this Information Disclosure Statement.

**PATENT**

Should there be a fee required for consideration of the listed references, please charge deposit account 19-2555.

Respectfully submitted,  
STEVEN W. MEEKS & RUSMIN KUDINAR

Dated:

*11 Aug 2004*

By:



John McNelis, Reg. No.: 37,186

Fenwick & West LLP

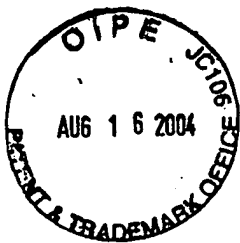
Silicon Valley Center

801 California Street

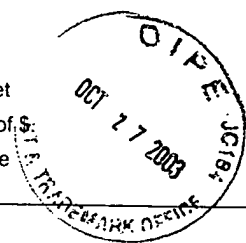
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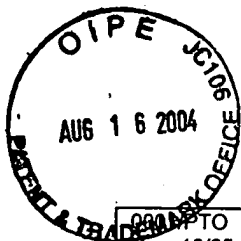
Tel.: (650) 335-7133

Fax.: (650) 938-5200



Date Mailed:	Atty/Sec: NSH/klm	Filing Date: September 12, 2003
Application No.: 10/660/984	Docket No.: 20830-08288	
Applicant(s): Steven W. Meeks & Rusmin Kudinar		
Title: System and Method for Simultaneously Measuring Thin Film Layer Thickness ...		
Please imprint Patent Office "date stamp" hereon to indicate receipt and return card to addressee.		
<input type="checkbox"/> ___ pages of Specification, Claims & Abstract	<input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).	
<input type="checkbox"/> ___ sheets of formal drawings	<input type="checkbox"/> Response to Notice Of Missing Parts	
<input type="checkbox"/> Provisional Application Cover Sheet	<input type="checkbox"/> Request for Corrected Filing Receipt	
<input type="checkbox"/> New Utility Application Transmittal	<input type="checkbox"/> Request for Correction of Recorded Assignment	
<input checked="" type="checkbox"/> Transmittal	<input checked="" type="checkbox"/> IDS, PTO/SB/08A	
<input type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Issue Fee Transmittal	
<input type="checkbox"/> Declaration	<input type="checkbox"/> Letter to Chief Draftsperson	
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Formal Drawings: ___ sheets	
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Request for Certificate of Correction	
<input type="checkbox"/> RCE Transmittal	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> Express Mail No.	
<input type="checkbox"/> Check in the amount of \$:		
<input type="checkbox"/> Amendment/Response		
Other _____		





<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/660,984
		Filing Date	September 12, 2003
		First Named Inventor	Steven W. Meeks
		Group Art Unit Number	2877
		Examiner Name	T. Nguyen
Total Number of Pages in This Submission	8	Attorney Docket Number	20830-08288

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ]
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References	<input type="checkbox"/>
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/>
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/>
<input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/>
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT	
Signature:	
Attorney/Reg. No.:	Nathan Huynh/Reg. No. 53,052
Dated:	October 23, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.	
Signature:	
Typed or Printed Name:	Nathan Huynh
Dated:	October 23, 2003
Express Mail Mailing Number (optional):	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Steven W. Meeks and Rusmin Kudinar  
APPLICATION NO.: 10/660,984  
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Dated: October 23, 2003

By: Nathan S. Huynh

Nathan Huynh, Reg. No.: 53,052

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

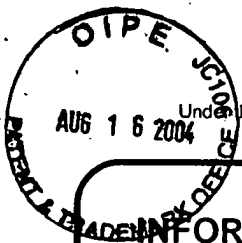
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. APPLICATION NO., filed on DATE FILED, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
STEVEN W. MEEKS & RUSMIN KUDINAR

Dated: October 23, 2003

By: Nathan S. Huynh  
Nathan Huynh, Reg. No.: 53,052  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (650) 335-7211  
Fax.: (650) 938-5200



Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application No.	10/660,984
				Filing Date	September 12, 2003
				First Named Inventor	Steven W. Meeks
				Art Unit	2877
				Examiner Name	T. Nguyen
Sheet	1	of	4	Attorney Docket Number	20830-08288

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number - Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	3,885,875	05/27/1975	Rosenfeld <i>et al.</i>
	A2	4,332,477	06/01/1982	Sato
	A3	4,585,348	04/29/1986	Chastang <i>et al.</i>
	A4	4,668,860	05/26/1987	Anthon
	A5	4,870,631	09/26/1989	Stoddard
	A6	4,873,430	10/10/1989	Juliana <i>et al.</i>
	A7	5,017,012	05/21/1991	Merritt, Jr. <i>et al.</i>
	A8	5,129,724	07/14/1992	Brophy <i>et al.</i>
	A9	5,189,481	02/23/1993	Jann <i>et al.</i>
	A10	5,196,906	03/23/1993	Stover <i>et al.</i>
	A11	5,270,794	12/14/1993	Tsuji <i>et al.</i>
	A12	5,293,216	03/08/1994	Moslehi
	A13	5,313,542	05/17/1994	Castonguay
	A14	5,406,082	04/11/1995	Pearson <i>et al.</i>
	A15	5,416,594	05/16/1995	Gross <i>et al.</i>
	A16	5,446,549	08/29/1995	Mazumder <i>et al.</i>
	A17	5,463,897	11/07/1995	Prater <i>et al.</i>
	A18	5,608,527	03/04/1997	Valliant <i>et al.</i>
	A19	5,610,897	03/11/1997	Yamamoto <i>et al.</i>
	A20	5,633,747	05/27/1997	Nikoonahad
	A21	5,644,562	07/01/1997	de Groot
	A22	5,694,214	12/02/1997	Watanabe <i>et al.</i>
	A23	5,726,455	03/10/1998	Vurens
	A24	5,748,305	05/05/1998	Shimono <i>et al.</i>
	A25	5,777,740	07/07/1998	Lacey <i>et al.</i>
	A26	5,798,829	08/25/1998	Vaez-Iravani
	A27	5,864,394	01/26/1999	Jordan, III <i>et al.</i>
	A28	5,875,029	02/23/1999	Jann <i>et al.</i>
	A29	5,880,838	03/09/1999	Marx <i>et al.</i>
	A30	5,903,342	05/11/1999	Yatsugake <i>et al.</i>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.  
 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.



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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Complete if Known</b>	
				Application No.	10/660,984
				Filing Date	September 12, 2003
				First Named Inventor	Steven W. Meeks
				Art Unit	2877
				Examiner Name	T. Nguyen
Sheet	2	of	4	Attorney Docket Number	20830-08288

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number - Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A31	5,951,891	09/14/1999	Barenboim <i>et al.</i>
	A32	5,978,091	11/02/1999	Jann <i>et al.</i>
	A33	5,985,680	11/16/1999	Singhal <i>et al.</i>
	A34	5,986,761	11/16/1999	Crawforth <i>et al.</i>
	A35	5,986,763	11/16/1999	Inoue
	A36	5,995,226	11/30/1999	Abe <i>et al.</i>
	A37	6,081,325	06/27/2000	Leslie <i>et al.</i>
	A38	6,088,092	07/11/2000	Chen <i>et al.</i>
	A39	6,091,493	07/18/2000	Stover <i>et al.</i>
	A40	6,107,637	08/22/2000	Watanabe <i>et al.</i>
	A41	6,118,525	09/12/2000	Fossey <i>et al.</i>
	A42	6,134,011	10/17/2000	Klein <i>et al.</i>
	A43	6,157,444	12/05/2000	Tomita <i>et al.</i>
	A44	6,169,601	01/2001	Eremin <i>et al.</i>
	A45	6,172,752	01/09/2001	Haruna <i>et al.</i>
	A46	6,201,601B1	03/13/2001	Vaez-Iravani <i>et al.</i>
	A47	6,248,988	06/19/2001	Krantz
	A48	6,271,916B1	08/07/2001	Marxer <i>et al.</i>
	A49	6,307,627	10/23/2001	Vurens
	A50	6,353,222B1	03/05/2002	Dotan
	A51	6,384,910B2	05/07/2002	Vaez-Iravani <i>et al.</i>
	A52	6,509,966B2	01/21/2003	Ishiguro <i>et al.</i>
	A53	6,542,248B1	04/01/2003	Schwarz
	A54	6,603,542	08/2003	Chase <i>et al.</i>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application No.	10/660,984
				Filing Date	September 12, 2003
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Sheet	3	of	4	Attorney Docket Number	20830-08288

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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	B1	WO 98/52019	11/19/1998	Technische Universiteit Delft	
	B2	JP 3-221804	09/30/1991	NEC Corp	

Examiner Signature		Date Considered	
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				Art Unit	2877
				Examiner Name	T. Nguyen
Sheet	4	of	4	Attorney Docket Number	20830-08288

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		T <sup>6</sup>
	C1	W.C. Leung, W. Crooks, H. Rosen and T. Strand, <i>An Optical Method Using a Laser and an Integrating Sphere Combination for Characterizing the Thickness Profile of Magnetic Media</i> , Sept. 1989, IEEE Transaction on Magnetism, Vol. 25, No. 5. Pages 3659-3661.		
	C2	Steven W. Meeks, Walter E. Weresin, and Hal J. Rosen, <i>Optical Surface Analysis of the Head-Disk-Interface of Thin Film Disks</i> , January 1995, Transactions of the ASME, Journal of Tribology, Vol. 117, pages 112-118.		
	C3	Steven Meeks, Maxtor and Rusmin Kudinar, <i>The Next Battleground: Head-Disk Interface</i> , March 1998, Data Storage, Test & Measurement, pages 29-30, 34 and 38.		
	C4	<i>Laser Scanning Surface Profilometer</i> , [online], August 1970, [retrieved January 29, 2001], Pages 789-790, Retrieved from the Internet: <URL: <a href="http://www.delphion.com/tdbs/tdb?&amp;order=7OC101758">http://www.delphion.com/tdbs/tdb?&amp;order=7OC101758</a> .		
	C5	Meeks, Steven W.: "A Combined Ellipsometer, Reflectometer, Scatterometer and Kerr Effect Microscope for Thin Film Disk Characterization," Machine Vision Applications in Industrial Inspection VIII, Proceedings of SPIE, vol. 3966, 2000, pages 385-391, XP001085220.		

Examiner Signature		Date Considered	
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Application No.: 10/660/984		Docket No.: 20830-08288
Applicant(s): Steven W. Meeks & Rusmin Kudinar		
Title: System and Method for Simultaneously Measuring Thin Film Layer Thickness ...		
Please imprint Patent Office "date stamp" hereon to indicate receipt and return card to addressee.		
<input type="checkbox"/> ___ pages of Specification, Claims & Abstract	<input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).	
<input type="checkbox"/> ___ sheets of formal drawings	<input type="checkbox"/> Response to Notice Of Missing Parts	
<input type="checkbox"/> Provisional Application Cover Sheet	<input type="checkbox"/> Request for Corrected Filing Receipt	
<input type="checkbox"/> New Utility Application Transmittal	<input type="checkbox"/> Request for Correction of Recorded Assignment	
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<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Request for Certificate of Correction	
<input type="checkbox"/> RCE Transmittal	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> Express Mail No.	
<input type="checkbox"/> Check in the amount of \$		
<input type="checkbox"/> Amendment/Response		
Other _____		